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REMARKS

Claim Status

After entry of this Amendment, Claims 14 – 16, 18, 19 and 21 – 41 are pending, wherein Claims 31 – 41 are withdrawn. Claims 1 – 13, 17 and 20 have been previously cancelled. By this Amendment, Applicants amend Claims 1 and 24. Claims 14 – 16, 18, 19 and 21 – 30 are presented for further examination on the merits. No new matter is added.

Claim Objections

The Examiner objects to Claim 24 for being dependent on a claim following Claim 24. Claim 24 is amended, as set forth in the above listing of claims, to depend from Claim 23. In view of amended Claim 24, Applicants respectfully request the Examiner to reconsider and withdraw the instant objection.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejects Claims 14 – 16, 18, 19 and 21 – 30 under 35 U.S.C. § 103(a) as being unpatentable over Bilibin (U.S. Pub. No. 2005/0197892) in view of Fredman (U.S. Pat. No. 6,526,393). With respect to independent Claim 14, the Examiner asserts that Bilibin discloses the limitations recited in Claim 14 except for assigning a validity time to the franking number. The Examiner cites Fredman as disclosing a pre-paid shipping label with a tracking number and an expiration date. In this regard, the Examiner notes that since the shipping label has an expiration date, the corresponding tracking number is considered to have an expiration date. The Examiner concludes that it would have been obvious to modify Bilibin to include the expiration date, as disclosed by Fredman, to encourage users to take action in a timely manner. Applicants respectfully traverse.

Applicants agree that Bilibin fails to teach assigning a validity time to Bilibin's tracking number. Applicants, however, disagree that the limitation "using said franking number during processing of said delivery to access said delivery data in said database to determine whether a read recipient address on said delivery corresponds to said delivery data associated with said franking number" includes an intended use the Examiner ignored in the instant rejection of Claim 14.

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Notwithstanding the propriety of the Examiners assertion regarding the alleged intended use, but to expedite examination and allowance of the present application, Claim 14 is amended, as set forth in the above listing of claims, to further distinguish the claimed method over Bilibin. More particularly, amended Claim 14 positively recites the further steps of reading a recipient address on the delivery, reading the franking number on the delivery, accessing the delivery data in the database using the read franking number, and determining whether the read recipient address on the delivery corresponds to the delivery data associated with the read franking number.

These amendments further emphasize that the method of Claim 14 is based on an approach that differs from Bilibin's approach. Bilibin teaches creating and using a tracking number. (E.g., paragraphs [0354] and [0409] *et seq.*) The system-generated label 1131 shown in Fig. 58 includes the generated tracking number, the delivery address (SHIP TO:), sender address (ACME INC.) and several bar codes. Fig. 58 shows further shipping label printing instructions for the user to print and apply the label. Hence, as the label information is based on entered information maintained in Bilibin's system database 22, the information on the label is the same as the information maintained in the database 22. (Paragraphs [0419], [0420]) Accordingly, there is no need to determine whether a read recipient address on the label corresponds to delivery data associated with the tracking number.

Applicants do not recognize a detailed description in Bilibin of how the tracking number is read from the label during shipment, but assume that the bar code readers 1027a (Fig. 4) contained in the PCs 8a-8n used by the shippers are used to identify a package via the bar codes on a label. (Paragraphs [0120], [0121]) Applicants, therefore, submit that Bilibin teaches to read the bar code and to identify the package via the information associated with the bar code. Therefore, it is Applicants' understanding that Bilibin does not read a recipient address, as defined in amended Claim 14.

In contrast to Bilibin, the claimed method defines reading the recipient address and the franking number on the package. The read franking number is then used to access the delivery data in the database. Now that the read recipient address and the accessed delivery data are available, the method determines whether the read recipient address on the package corresponds to the delivery data associated with the read

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franking number. This approach of using a franking number to validate a read recipient address is different from Bilibin's approach of using a bar code to identify a package and allow a user to track the package by entering the tracking number to a computer system.

In sum, Applicants submit that Bilibin at least fails to disclose assigning a validity time, reading a recipient address on the delivery, reading the franking number on the delivery, accessing the delivery data in the database using the read franking number, and determining whether the read recipient address on the delivery corresponds to the delivery data associated with the read franking number.

Fredman has been discussed in Applicants' February 22, 2007 response. That discussion of Fredman is repeated herewith. Fredman does not teach the limitations of amended Claim 14 that Bilibin fails to disclose. Briefly, Fredman describes that a customer that wants to use the time controlled prepaid delivery opens an account with the USPS, gets a permit, preprints envelopes with his permit number and an expiration date, and sends the preprinted envelopes as enclosures to his invoice mailings to his customers. (Col. 4, lines 33 – 64.) Fredman's permit number is not associated with the customers receiving the preprinted envelopes, and, hence, not parcel specific. Therefore, reading the permit number would be of no use for validating a read recipient address.

In view of the foregoing, Applicants respectfully submit that even a combination of Bilibin and Fredman does not teach all limitations of amended Claim 14. Amended Claim 14 is, therefore, patentable over Bilibin in view of Fredman. Applicants respectfully request the Examiner to reconsider the rejections under 35 U.S.C. § 103(a) and to pass amended Claim 14 to allowance.

Claims 15 – 16, 18, 19 and 21 – 30 depend from Claim 14. These dependent claims recite additional inventive features that are in combination with the features of amended Claim 14 not disclosed or suggested by Bilibin or Fredman. The above arguments regarding amended Claim 14 are repeated herewith. Each dependent claim is, therefore, on its own patentable. Applicants respectfully request the Examiner to reconsider and to withdraw the instant rejections under 35 U.S.C. § 103(a), and to pass Claims 15 – 16, 18, 19 and 21 – 30 to allowance.

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CONCLUSION

The present response is intended to correspond with the Revised Amendment Format. Should any part of the present response not be in full compliance with the requirements of the Revised Amendment Format, the Examiner is asked to contact the undersigned for immediate correction.


For the above reasons, Applicants respectfully submit that the application is in condition for allowance, and such allowance is herewith respectfully requested.

Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 502464 referencing attorney docket number 2001P05313WOUS.

Respectfully submitted,

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